

PROD 12C
(7/93)

Report Date: January 23, 2013

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JAN 24 2013

Eastern District of Washington

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Tracy L. Swanson

Case Number: 2:08CR00173-001

Address of Offender: '

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 9/3/2009

Original Offense: Conspiracy to Utter Counterfeit Securities of an Organization, 18 U.S.C. § 371 and 513

Original Sentence: Prison - 48 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: 5/24/2012

Defense Attorney: James M. Parkins

Date Supervision Expires: 5/23/2015

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

Violation Number **Nature of Noncompliance**

1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Tracy Swanson is considered in violation of her period of supervised release in the Eastern District of Washington by committing the offense of theft on or prior to September 8, 2012.

According to reports from the Spokane Police Department, the defendant was detained by a bouncer at the Star Bar after she attempted to leave the establishment without paying her bill. The defendant had been drinking with several other individuals and had used her credit card to cover the tab. When her credit card was declined, employees were asked by the owner to keep an eye on them. The report noted the employee observed all of the other individuals with the defendant move outside into the smoking area and then leave through the emergency exit. The employee then observed the defendant attempt to leave in the same manner. The defendant was chased down by the bouncer and brought back to the bar. Officers arrived and spoke to the defendant about the bill. The defendant was unable to pay the bill and stated she thought one of the other individuals had paid with cash. The defendant was cited for theft under case number 12-293651 and released.

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The defendant's next court date is currently scheduled for February 12, 2013, in Spokane.

2

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime

Supporting Evidence: Tracy Swanson is considered in violation of her period of supervised release in the Eastern District of Washington by committing the offense of assault on or prior to November 24, 2012.

According to reports from the Kennewick Police Department, officers were dispatched to the defendant's residence in reference to an assault in progress. Officers were able to determine that the 19-year-old son of the defendant's boyfriend had called his sister after being involved in a verbal argument with the defendant. When the sister arrived she became involved in the argument. The defendant stated she was protecting herself from the sister and had pushed the sister in the face to keep her back. The sister stated she was trying to talk with her brother in an attempt to find out what was going on when the defendant walked up to her and punched her in the face three times. Officers spoke with other individuals who were in the home at the time of the incident, and they confirmed the sister's story. The defendant was arrested and taken to the Benton County Jail and charged with assault under case number 12-37265.

The defendant's next court date is currently scheduled for January 30, 2013, in Benton County.

3

Mandatory Condition: While on supervised release, restitution is payable on a monthly basis at a rate of 15 percent of the defendant's gross income, commencing 30 days upon release from imprisonment.

Supporting Evidence: Tracy Swanson is considered in violation of her period of supervised release in the Eastern District of Washington by failing to make monthly payments toward restitution.

On May 24, 2012, the defendant was released from custody with the Bureau of Prisons. The defendant has made a total of two payments toward her restitution. These payments were in the amount of \$20, and were made in November and December 2012.

The defendant was employed in the months of May, June, July, and had short term employment in the month of November. The defendant was also directed to make a payment from funds she had received as part of a grant for schooling. The defendant failed to make any payments in the above noted months or from her grant.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

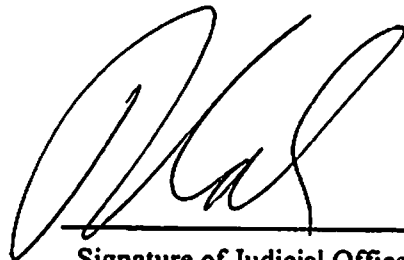
Executed on: 01/23/2013

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

Jan. 24, 2013

Date